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FAX COVER SHEET

FROM: Thomas Jarriel

DATE: 10-14-16

TO: Mike Bowers, Esq.

FAX NO: 404-261-3656

RE: Bartlett

NOTE: Per our conversation, a copy of the Indictment follows. Thank you.

NO. OF PAGES (including cover sheet): 12

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INDICTMENT NO. 16-CR-319
CASE NO. BPD 150309-12671

INDICTMENT
STATE OF GEORGIA, PEACH COUNTY

The Grand Jurors selected, chosen and sworn for the County of Peach, to-wit:

(1) David Alexander Aman, Foreman; (2) ~~Brandon C. Jackson~~, Deputy Foreman;
(3) Linda Underwood, Secretary; (4) Jennifer High Barfield; (5) ~~Madeline E. Valdes~~; (6) Chester C. Ferguson, Jr.; (7) ~~Gwendolyn O'Neal Hinson~~; (8) ~~Shaquetta Shante Green~~; (9) Beth Leigh Pierson; (10) Vernon Jerome Moten; (11) Cathy Marie Edalgo; (12) Janet Benita Scott; (13) ~~Janice M. Hilton~~; (14) Gary Wayne Priest; (15) John Sidney Bryant; (16) Laura Janette Valencia; (17) Christopher Wayne Carr; (18) Jimmy Arble Rogers; (19) Julie Melinda Love; (20) Skylar Reid Buecker; (21) Candace Moore Smith; (22) Lakeith Nical Rumph; (23) John T. Barfield;

in the name and behalf of the citizens of Georgia, charge and accuse

RONALD D. BARTLETT AND LEE BARTLETT

with having committed the offense of

THE PARTIES, THE SCHEME, THE ENTERPRISE, AND THE PATTERN OF
RACKETEERING ACTIVITY

1. At all times relevant, Defendants Ronald D. Bartlett and Lee Bartlett (collectively "Defendants" or "Bartletts") owned and operated several businesses in Peach County and other counties in the State of Georgia including Captain Jack's Crab Shack ("Captain Jack's") located at 107 Chapman Road, Byron, Peach County, Georgia; Friend's Bar & Grill ("Friends") located at 7405 Industrial Highway, Macon, Bibb County, Georgia and Chevy's (Chevy's") located at 1229 Russell Parkway, Warner Robins, Houston County, Georgia.
2. Beginning in or about January, 2013, the exact date being unknown to the Grand Jury, and continuing through in or about May, 2015, the Defendants did

GEORGIA, PEACH COUNTY
Clarks Office, Superior Court
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day of Oct 20 16
Sherry Jones Deputy Clerk

- knowingly execute a scheme, in Peach County and other counties, whereby they operated purported legitimate businesses at which the Defendants placed Gambling Devices for purposes of illegal gambling at the Captain Jack's location.
3. The Gambling Devices ("Gambling Devices") placed at Captain Jack's are illegal Gambling Devices or, alternatively, considered Gambling Devices in that they were being operated by the Bartletts in an illegal manner.
 4. The Gambling Machines are purportedly legal and permissible Coin Operated Amusement Machines ("COAMs"). In fact, the Gambling Machines are Gambling Devices and are illegal *per se* or are being operated in an illegal manner.
 5. At all relevant times, there were nine (9) Gambling Devices placed at Captain Jack's; eight (8) placed at Friend's and six (6) placed at Chevy's.
 6. The Gambling Devices, which resemble "Slot Machines," were placed at Captain Jack's, Friendly's and Chevy's for the purposes of providing a place for customers ("Customers") to illegally gamble.
 7. Customers who play the Gambling Devices insert cash into the Gambling Machines to gamble, select one of two or three games to play, place their bets, and hit the play button.
 8. Depending on how the virtual reels stop during a play, the Customer could win or lose or have the opportunity to win or lose on every spin.
 9. Games on the Gambling Machines include ways of winning that require no skill whatsoever.
 10. The Defendants used a device at Captain Jack's known as a "Mutha Goose" to

electronically transmit gambling information such as bets and winnings to a central location typically behind the counter at the gambling location.

11. The winnings and other gambling information would be electronically transmitted to the clerk via the "Mutha Goose" so that the clerk would know how much to pay the Customers.
12. At all times relevant hereto and prior to July 1, 2015, the Defendants paid themselves the monies derived from the illegal gambling activities described herein.
13. At all relevant times, the Defendants were required under State law to self-report the amount of money played on the Gambling Devices and the net profit realized from the Gambling Machines on a monthly basis.
14. Based on the monthly self-reporting documents submitted to the State of Georgia by the Defendants for the period from October, 2013 through April, 2015, Captain Jack's Customers inserted over \$1,235,268.00 cash into the Gambling Machines in order to play the Gambling devices and gamble; \$837,092.00 was purportedly redeemed for prizes and \$398,176.00 was the purported net profit derived from the Gambling Machines.
15. Based on the monthly self-reporting documents submitted to the State of Georgia by the Defendants for the period from October, 2013 through June, 2015, Friend's Customers inserted over \$1,754,595.00 cash into the Gambling Devices in order to play the Gambling Machines and gamble; \$1,305,295.00 was purportedly redeemed for prizes and \$449,229.00 was the purported net profit derived from the Gambling Machines.

16. Based on the monthly self-reporting documents submitted to the State of Georgia by the Defendants for the period from October, 2013 through June, 2015, Chevy's Customers inserted over \$1,449,606.00 cash into the Gambling Devices in order to play the Gambling Machines and gamble; \$1,020,167.00 was purportedly redeemed for prizes and \$429,439.00 was the purported net profit derived from the Gambling Machines.
17. In order for it to be able to have the Gambling Devices located at its places of business, the Defendants on behalf of Captain Jack's, Friend's and Chevy's applied for and maintained COAM Location Licenses issued by the State of Georgia on an annual basis. Defendants submitted an annual Coin Operated Amusement Machine Application ("COAM Application") swearing under oath as to the truth and correctness of the application being submitted. Separate annual COAM Applications were submitted by the Defendants for each of their three businesses.
18. Defendants made false reports on their 2013 and 2014 COAM Applications in that they falsely swore that they were not delinquent in taxes owed to the State.
19. Defendants made false reports and under-reported their income with regard to the monies derived from the illegal gambling on their 2013 and 2014 income Georgia Tax Returns.
20. The Defendants engaged in an interrelated pattern of criminal activity motivated by and the effect of which was pecuniary gain.

COUNT ONE

From on or about January, 2013 to on or about May, 2015, the exact dates being unknown to the Grand Jury, in Peach County, Georgia the Defendants **RONALD D. BARTLETT** and **LEE BARTLETT** along with others known and unknown to the Grand Jury did commit the offense of violation of the **GEORGIA RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT, OCGA §16-14-1 et seq.**, in that the said accused did, through a pattern of racketeering activity or the proceeds derived therefrom, acquire or maintain, directly and indirectly, an interest in or control of an enterprise, real property, and personal property, including money, such conduct constituting prohibited activities under OCGA §16-14-4(a), contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT ONE of this Bill of Indictment expressly incorporates by reference, as if fully set forth herein, the allegations of **THE PARTIES, THE SCHEME, THE ENTERPRISE, AND THE PATTERN OF RACKETEERING ACTIVITY** as enumerated in Paragraphs 1 through 20 herein above.

COUNT TWO

That from on or about January, 2013 to on or about May, 2015, the exact dates being unknown to the Grand Jury, in Peach County, Georgia the Defendants **RONALD D. BARTLETT** and **LEE BARTLETT** along with others known and unknown to the Grand Jury did commit the offense of violation of the **GEORGIA RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT, OCGA §16-14-1 et seq.**, in that the said accused, being employed by and associated with Captain Jack's, an "enterprise" as defined by OCGA §16-14-3(6), did conduct and participate in, directly

and indirectly, such enterprise through a pattern of racketeering activity as defined in OCGA §16-14-3(8)(A), such conduct constituting prohibited activities under OCGA §16-14-4(b) contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT TWO of this Bill of Indictment expressly incorporates by reference, as if fully set forth herein, the allegations of **THE PARTIES, THE SCHEME, THE ENTERPRISE, AND THE PATTERN OF RACKETEERING ACTIVITY** as enumerated in Paragraphs 1 through 20 herein above.

COUNT THREE

That from on or about January, 2013 to on or about May, 2015, the exact dates being unknown to the Grand Jury, in Peach County, Georgia the Defendants **RONALD D. BARTLETT** and **LEE BARTLETT** along with others known and unknown to the Grand Jury did commit the offense of violation of the **GEORGIA RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT, OCGA §16-14-1 et seq.**, in that the said accused did conspire and endeavor to violate OCGA §16-14-4(a), such conduct constituting prohibited activities under OCGA §16-14-4(c), contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT THREE of this Bill of Indictment expressly incorporates by reference, as if fully set forth herein, the allegations of **THE PARTIES, THE SCHEME, THE ENTERPRISE, AND THE PATTERN OF RACKETEERING ACTIVITY** as enumerated in Paragraphs 1 through 20 herein above.

COUNT FOUR

That from on or about January, 2013 to on or about May, 2015, the exact dates being unknown to the Grand Jury, in Peach County, Georgia the Defendants **RONALD D. BARTLETT** and **LEE BARTLETT** along with others known and unknown to the Grand Jury did commit the offense of violation of the **GEORGIA RACKETEER**

INFLUENCED AND CORRUPT ORGANIZATIONS ACT, OCGA §16-14-1 *et seq.*, in that the said accused did conspire and endeavor to violate OCGA §16-14-4(b), such conduct constituting prohibited activities under OCGA §16-14-4(c), contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT THREE of this Bill of Indictment expressly incorporates by reference, as if fully set forth herein, the allegations of **THE PARTIES, THE SCHEME, THE ENTERPRISE, AND THE PATTERN OF RACKETEERING ACTIVITY** as enumerated in Paragraphs 1 through 20 herein above.

COUNT FIVE

That from on or about January 2013 to on or about May, 2015, the exact dates being unknown to the Grand Jury, in Peach County, Georgia the Defendants **RONALD D. BARTLETT** and **LEE BARTLETT** along with others known and unknown to the Grand Jury did commit the offense of **COMMERCIAL GAMBLING** in violation of OCGA §16-12-22 (a)(1) for that the said accused intentionally did operate and did participate in the earnings of a gambling place, in that the said accused operated gambling devices and machines at Captain Jack's and did make cash pay-outs to persons who played such gambling devices and machines, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT SIX

That from on or about January, 2013 to on or about May, 2015, the exact dates being unknown to the Grand Jury, in Peach County, Georgia the Defendants **RONALD D. BARTLETT** and **LEE BARTLETT** along with others known and unknown to the Grand Jury did commit the offense of **POSSESSION OF A GAMBLING DEVICE OR**

EQUIPMENT in violation of **OCGA §16-12-24 (a)** for that the said accused did knowingly possess at Captain Jack's certain devices and gambling machines which they knew to be designed for gambling purposes, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT SEVEN

That from on or about January, 2013 to on or about May, 2015, the exact dates being unknown to the Grand Jury, in Peach County, Georgia the Defendants **RONALD D. BARTLETT** and **LEE BARTLETT** along with others known and unknown to the Grand Jury did commit the offense of **KEEPING A GAMBLING PLACE** in violation of **OCGA §16-12-23(a)** for that the said accused did knowingly permit real estate, a building, room, and property under their control, to wit: Captain Jack's, to be used as a gambling place, contrary to the laws of said State, the good order, peace and dignity thereof.

COUNT EIGHT

The Grand Jurors aforesaid in the name and behalf of the citizens of Georgia further charge and accuse Defendants **RONALD D. BARTLETT** and **LEE BARTLETT** with the offense of **FALSE WRITINGS AND STATEMENTS** in violation of **OCGA § 16-10-20** for that the said accused, on the 12 day of June, 2014, in the County aforesaid, did unlawfully then and there knowingly and willfully falsify, conceal, and cover up by a trick, scheme, and device a material fact; did make a false, fictitious, and fraudulent statement and representation; and did make and use a false

writing and document, knowing the same to contain a false, fictitious, and fraudulent statement and entry in a matter within the jurisdiction of a department and agency of state government and the government of a county, city, and other political subdivision of the state, to wit: the accused did complete and submit a Coin Operated Amusement Machine Application for the Georgia Lottery Corporation, a department and agency of state government, and did indicate the answer "NO" on said application in response to the questions "Are you delinquent in taxes, fees or other obligations owed to the State of Georgia?", said response being certified and sworn to before a Notary Public, while knowing that the said accused were in fact delinquent in income taxes and sales and use taxes owed to the State of Georgia, contrary to the laws of this State, the good order, peace and dignity thereof.

PEACH SUPERIOR COURT

AUGUST TERM 2016

**K. DAVID COOKE, JR.
DISTRICT ATTORNEY**

**SPECIAL PRESENTMENT
PROSECUTOR**

TRUE/NO Bill this 11 day of October, 2016.

[Signature]
FOREMAN

WITNESSES:

- (☒) Det. Melanie A Bickford, Byron Police Department
- () Tony Williams, Lottery Commission
- () Scott Purvis, Georgia Department of Revenue
- () Chris Edwards

PLEA

The defendant, **LEE BARTLETT**, waives being formally arraigned and pleads
_____ guilty.

This _____ day of _____, 2016.

DEFENDANT
D.O.B. 07/24/1941
S.S.# 415-64-5786
OTN:
SID:

ASST. DISTRICT ATTORNEY

DEFENDANT'S ATTORNEY

ADA: KDC

PLEA

The defendant, **RONALD D. BARTLETT**, waives being formally arraigned and pleads
_____ guilty.

This _____ day of _____, 2016.

DEPENDANT
D.O.B. 04-26-44
S.S.# 252-68-0775
OTN: 88399439553
SID: GA00520240

ASST. DISTRICT ATTORNEY

DEFENDANT'S ATTORNEY

ADA: KDC